

The European Court of Human Rights - Enforcement of Judgement and its Comparison with the Procedure of the European Court of Justice of the European Union

Abstract

This thesis aims to provide an overview of the enforcement of judgments of the European Court of Human Rights, following the proceedings held before that court, without which enforcement proceedings cannot be opened. The thesis is focused both on the bodies of the Council of Europe, which play a key role in this process, as well as the national bodies and the measures adopted by them in accordance with the judgments of the European Court of Human Rights. The author also focuses on the mechanisms applied both for the implementation of the measures, and during the supervisory activities of the bodies of the Council of Europe. Within a comprehensive perspective, the author focuses on the execution of judgments of the European Court of Human Rights in three Central European countries, in order to compare both the anchoring of international human rights protection in the legal systems of these countries, and the systematics of the bodies involved in the judgment enforcement, demonstrating, on concrete cases, the practical steps during the enforcement of the ECHR judgments in the Czech Republic, Slovak Republic and Austria. Considering the fact that there is another possibility of human rights protection in Europe, through the mechanisms of the European Union, the thesis also deals with the procedures and implementation of judgments of the Court of Justice of the European Union in the field of human rights protection. By comparing the enforcement of the judgments of these two mechanisms with the information gathered, the author analyses both the possibilities of individual human rights subjects to seek their protection, and the decision-making practice of the two courts and, subsequently, the implementation of enforcement of their judgments. In the conclusion of the thesis are summarized the collected information concerning the enforcement of judgments of the judicial bodies dealing with human rights protection on the European continent, their practical implementation into national legal systems, processes and procedures, pointed out the possibilities that can enhance human rights and fundamental freedoms protection, as well as the implementation of enforcement of judgments of the European Court of Human Rights.

Key words: Enforcement of judgement, European Court of Human Rights, European Court of Justice of the European Union